

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

|                |   |                    |
|----------------|---|--------------------|
| ALVIN LUCKETT, | ) |                    |
|                | ) |                    |
| Plaintiff,     | ) | 8:14CV234          |
|                | ) |                    |
| v.             | ) |                    |
|                | ) |                    |
| MIA CRAFT,     | ) | MEMORANDUM OPINION |
|                | ) |                    |
| Defendant.     | ) |                    |
| _____          | ) |                    |

This matter is before the Court on plaintiff Alvin Lockett's ("Lockett") Motion for Leave to Proceed in Forma Pauperis (Filing No. [2](#)). On August 11, 2014, Lockett mailed two documents to the clerk's office of the United States District Court for the District of Nebraska, a "Motion for Writ of Replevin" (Filing No. [1](#)) and an Application to Proceed in Forma Pauperis (Filing No. [2](#)). The caption in both documents suggests that Lockett intended to file this action in the state courts of Mississippi. (See case caption in Filing No. [1 at CM/ECF p. 1](#) ("IN THE JUSTICE COURT OF UNKNOWN COUNTY, MISSISSIPPI") and case caption in Filing No. [2 at CM/ECF p. 1](#) ("APPLICATION TO PROCEED IN FORMA PAUPERIS IN THE COURTS OF THE STATE OF MISSISSIPPI").) Thus, because it appears from the face of the pleadings that Lockett did not intend to file an action in *this* Court, the undersigned judge will deny leave to proceed in forma pauperis and dismiss this matter without prejudice to reassertion in the

intended forum. A separate order will be entered in accordance with this memorandum opinion.

DATED this 14th day of August, 2014.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court

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